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"political activity" are permitted under the Oklahoma Administrative Code ("OAC") 257 10-1-20(a) (1) (c). A concern was raised in light of OAC 257 10-1-2(f) (1) which prohibited a principal candidate campaign or authorized committee of a person from making a contribution or transfer to another candidate. Mr. Edmondson wrote that he "now understands that the prohibition under 257 10-1-2(f) (1) takes precedence over the permissive language on expenditures." From his own personal funds, Edmondson reimbursed his own Edmondson for Attorney General 2006 Campaign in full.

The complaint incorrectly assumes that the language in OAC 257 10-1-2(f) (1) is synonymous with the language in Section 441f of the Act. Obviously, the Commission is concerned with the language in Section 441f of the Act and whether the activities of Mr. Edmondson, as outlined in his April 16, 2008 letter to the Oklahoma Ethics Commission, constitute a violation of the Act and corresponding rules and regulations of the Commission. Those activities of Mr. Edmondson do not constitute a violation of the Act and corresponding rules and regulations of the Commission.

Section 441f of the Act prohibits, in pertinent part, one person from making a contribution in the name of another person. This section is known as the "anti-conduit" provision of the Act. In *Manani v. U.S.*, 212 F.3d 761 (3rd Cir. 2000), the Third Circuit Court of Appeals found that the "[P]roscription of conduit contributions (with the concomitant requirement that the true source of contributions be disclosed) would seem to be at the very core of the Court's analysis." *Id.* at 775. The "Court's analysis" discussed the purpose behind the disclosure requirement which is to provide the electorate with information as to where political campaign money comes from and how it is spent in order to aid the voters in evaluating those who seek federal office.

The facts in this matter clearly demonstrate that compliance by Mr. Edmondson with Section 441f and its underlying purpose had been fulfilled. The initial contributions made to the Carson and Boren campaigns were made with personal checks from Drew Edmondson. These contributions were made in the name of Drew Edmondson. Mr. Edmondson assumes that the Carson and Boren campaigns listed such contributions as coming from Mr. Edmondson. The electorate was provided with the information required.

That Mr. Edmondson was reimbursed by the Edmondson for Attorney General 2006 Campaign does not alter the fact that the contribution was not made in the name of another person. Mr. Edmondson made the contribution by personal check to each campaign. Reimbursement by his Edmondson for Attorney General 2006 Campaign was made to Mr. Edmondson because such activities were in conjunction with "political activities" and reimbursement was not made for the purpose of making the initial contribution. The electorate would know that such contributions came from Mr. Edmondson and not another person. The source of the contribution was disclosed to the public.

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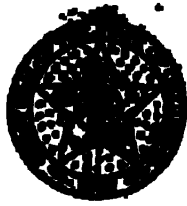
The activities of Mr Edmondson as alleged in the complaint and outlined in the April 16, 2008 letter to the Oklahoma Ethics Commission do not constitute a violation of the Federal Election Campaign Act or corresponding rules and regulations of the Federal Election Commission. On behalf of the Mr Edmondson, we respectfully request that the Federal Election Commission dismiss with prejudice the above-numbered complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Mildren". The signature is fluid and cursive, with a long horizontal stroke at the end.

Richard A Mildren

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**W. A. DREW EDMONDSON
ATTORNEY GENERAL
STATE OF OKLAHOMA**

April 16, 2007

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**Ms. Marilyn Hughes
Executive Director
State Ethics Commission
State Capitol
Oklahoma City, Oklahoma**

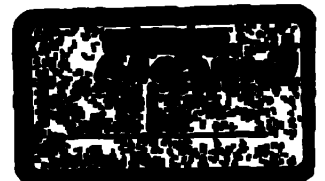
Dear Ms. Hughes:

Based upon a recent conversation with you, I have determined that my interpretation of the ethics rules has been incorrect in a specific regard and that my campaign, in the 2006 election cycle, has made one expenditure and a number of reimbursements which were not proper. With that determination I have this date made a refund to the campaign for the following expenditures/reimbursements:

- 1. April 1, 2004, personal check to the Oklahoma House PAC reimbursed by the campaign in the amount of \$100.00.**
- 2. April 8, 2004, personal check to Brad Carson for Senate reimbursed by the campaign in the amount of \$250.00.**
- 3. June 3, 2004, personal check to the Jeff McMahon campaign reimbursed by the campaign in the amount of \$400.00.**
- 4. January 25, 2005, personal checks to the Jerry McPeak campaign and the Ryan Kiesel campaign for \$100.00 each, reimbursed by the campaign in the amount of \$200.00**
- 5 April 5, 2005, personal check to the Oklahoma House PAC reimbursed by the campaign in the amount of \$100.00**
- 6 April 5, 2005, personal check to Senate Democrats reimbursed by the campaign in the amount of \$100.00.**
- 7 July 29, 2005, personal check to the Scott MacEachron campaign reimbursed by the campaign in the amount of \$250.00**

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8. August 22, 2005, personal check to Boren for Congress reimbursed by the campaign in the amount of \$100.00.

9. February 2, 2006, personal checks to the campaigns of Jerry Shoemaker, Dale Turner and Jerry McPeak for \$100.00 each reimbursed by the campaign in the amount of \$300.00.

10. April 22, 2006, personal check to the Frank Shunden campaign for a retirement roast reimbursed by the campaign in the amount of \$200.00.

11. May 25, 2006, personal check to the Jeff McMahan campaign reimbursed by the campaign in the amount of \$150.00.

12 August 25, 2006, personal check to the Jennifer Seal campaign reimbursed by the campaign in the amount of \$100.00.

All of the above expenditures and reimbursements involved events which I personally attended for the purpose of meeting people, particularly potential contributors. The campaign felt at the time that the reimbursements were permitted under 257:10-1-20.(a)(1)(c) as a reimbursement "for political activity." I now understand that the prohibition under 257:10-1-2(f)(1) takes precedence over the permissive language on expenditures.

All of the candidates listed above received personal checks and not campaign checks. No candidate would have known that my campaign would be reimbursing me for the event cost.

13 May 5, 2005, campaign check to the Jeff McMahan campaign for registration in a golf tournament in the amount of \$500.00.

While this also represented an event I attended for my own campaign purposes the use of a campaign check was not proper. This is the only instance where the Edmondson campaign directly wrote a check to another campaign account.

The reimbursements I received from the formation of the 2006 campaign in January 2004 to date total \$2,750.00. I have, this date, written a personal check to the Edmondson for Attorney General 2006 campaign account in that amount to fully refund these reimbursements. We will also be filing one or more amended reports to reflect this action.

If you or the Commission require any additional information about these transactions please let me know. Thank you for your assistance and advice in this matter.

Sincerely,



W. A. Drew Edmondson
Attorney General

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